

PATENT  
ATTORNEY DOCKET NO. 013306-5001-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Fanie Retief VAN HEERDEN et al. ) Group Art Unit: Unassigned  
Divisional of )  
Prior Application No.: 09/402,962 ) Examiner: Unassigned  
Filed: Concurrently with Divisional Filing )  
For: PHARMACEUTICAL COMPOSITIONS )  
HAVING APPETITE SUPPRESSANT )  
ACTIVITY )

J1040 U.S. PRO  
10/07/3357  
02/13/02



Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed concurrently with the filing of this Divisional Application of copending Application No. 09/402,962.

Copies of the listed documents were previously submitted or cited by the Examiner in parent Application No. 09/402,962. Accordingly, no copies of the listed documents are provided herewith. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art"

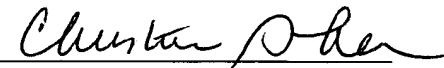
against any claim in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
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Dated: February 13, 2002

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